

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE (Case No. 01-1736-D)

| the Applic | cation of:                          | )                        |
|------------|-------------------------------------|--------------------------|
|            | Hom, et al.                         | ) Examiner: T. Criares   |
| Serial No. | 09/816,876                          | ) Art Unit: 1617         |
| Filed:     | March 23, 2001                      | ) Confirmation No.: 6062 |
| For: Com   | pounds to Treat Alzheimer's Disease | )                        |

## TRANSMITTAL LETTER

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

In regard to the above identified application,

- 1. We are transmitting herewith the attached:
  - a) Response to the Office Action Mailed April 22, 2004; and
  - b) Return Receipt Postcard.
- 2. With respect to fees:
  - a) No fee is due.
  - b) Please charge any underpayment or credit any overpayment our Deposit Account, No. 13-2490.
- 3. CERTIFICATE OF MAILING UNDER 37 CFR § 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described in paragraph 1 hereinabove, are being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on May 18, 2004.

Respectfully submitted,

Dated: May 18, 2004

Bradley W. (Nawford Registration No. 50,494

Certificate of Mailing

s correspondence is being I hereby certify that this deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450,

2004 (Date of Deposit).

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

(Attorney Docket No. 01-1736-D)

| In re Application of:                       | )  |    |
|---|--|----|
| Hom et al.                                  | <pre>Before the Examiner: T. Criares</pre> |    |
| Serial No.: 09/816,876                      | )<br>) Art Unit: 1617                      |    |
| Filed: March 23, 2001                       | ) Alt onit. 1017<br>)                      |    |
| For: Compounds to Treat Alzheimer's Disease | ) Confirmation No.: 606                    | 52 |

## RESPONSE TO THE OFFICE ACTION MAILED APRIL 22, 2004

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

Responsive to the Office Action mailed April 22, 2004, Applicants elect the claims of Group V, i.e., claims 49-59, for prosecution. Further, Applicants elect the species of Example 53 on page 174. The compound of that example is named in the specification 4-(anti)-([6-(3,5-Difluoro-phenyl)-5-(S)-(3as dipropylcarbamoyl-benzoylamino)-4-(S)-hydroxyl-2-(R)-isobutylhexanoylamino]-methyl)-cyclohexanecarboxylic acid: and can be represented by the following structure:

d. . .

Applicants note that the prior response to the restriction requirement contained an error in the structure. The above structure is correct, and is within the scope of formula XII.

Applicants urge the Examiner to contact the Applicants' undersigned representative at (312) 913-2114 if it is believed that a discussion would expedite prosecution of this application.

Respectfully submitted,

Dated: May 18, 2004

Bradley W Crawford

Reg. No. 50,494

McDonnell Boehnen Hulbert & Berghoff 300 South Wacker Drive Chicago, Illinois 60606 (312) 913-0001